

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

TIMOTHY MCANDREW,

Plaintiff,

v.

NORTHUMBERLAND COUNTY,
BRUCE KOVACH, individually and in
his official capacity, SAMUEL J.
SCHICCATANO, JOSEPH M.
KLEBON, KYMBERLY L. BEST,
JAMES HOSHKIN, and
JOHN DOES 1-6,

Defendants.

No. 4:22-CV-00834

(Chief Judge Brann)

ORDER

JANUARY 25, 2023

In accordance with the accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** that:

1. Defendants' Motion to Dismiss the Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) (Doc. 7) is **GRANTED**.
2. Plaintiff's Complaint (Doc. 1) is **DISMISSED WITHOUT PREJUDICE**. Plaintiff is granted leave to amend the Complaint within fourteen (14) days of the date of this Order, should he choose to do so. If no amended complaint is filed by that date, the action will be summarily dismissed pursuant to Fed. R. Civ. P. 41(b).

3. Plaintiff's Second Motion for Extension of Time to file Certificate of Merit (Doc. 14) is **DENIED** as moot.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann
Chief United States District Judge